

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

ATTY.'S DOCKET: KESSLER=63A

In re Application of:	)	Art Unit: 3764
	)	
Brian KESSLER	)	Examiner:
	)	
Appln. No.: 10/677,296	)	Washington, D.C.
	)	
Filed: October 3, 2003	)	March 25, 2004
	)	
For: JUMPING OR SKIPPING	)	Confirmation No.: 9647
PLAYTHING	)	
	)	

**INFORMATION DISCLOSURE STATEMENT [IDS]**

Honorable Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir :

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed before the mailing date of a first office action on the merits.

[X] 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form PTO/SB/08A) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached.

*(check boxes A and/or B and fill in blanks, if appropriate)*

☐ A. Document(s) \_\_\_\_\_ is (are) deemed substantially cumulative to document(s) \_\_\_\_\_, and, in accordance with §1.98(c), only a copy of each of the latter documents is enclosed.

☐ B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

*(insert serial numbers and filing dates of prior applications)*

Applicant(s) identifies these documents by attaching hereto copies of the forms PTO-892 and PTO-1449 from the files of the prior application(s) or a fresh PTO/SB/08A listing these documents, and request that they be considered and made of record in accordance with §1.98(d). Per 37 CFR §1.98(d), copies of these documents need not be filed in this application.

☒ C. Document AP is U.S. patent and/or published application. As this is a U.S. application filed after June 30, 2003, or an entry into national stage under 35 USC §371 after June 30, 2003, the requirement to file copies of such U.S. patents or published applications has been waived. (Office of Patent Legal Administration - Pre O.G. Notice of July 11, 2003).

☒ 3. Document AR is not in the English language. In accordance with §1.98(a)(3), Applicant states:

☒ A concise explanation of the relevance of document(s) AR is found in the attached European search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).


[X] 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20). However, a concise explanation of relevance is being provided in the form of the attached European Search Report.

5. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant(s) reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.